

**Amendments to the Drawings:**

A complete set of Formal Drawings is submitted with the present Amendment. 18 new formal drawing sheets are provided for Figures 1-15. The new formal drawings for Figures 1-15 will replace prior versions of Figures 1-15. Additionally, it is respectfully submitted that the replacement sheets for Figures 1-15 satisfy the requirements of 37 C.F.R. § 1.121(d). More particularly, the "REPLACEMENT SHEET" labels for each of the drawings has been included within the margins of the respective drawing sheet.

Attachment: 18 Replacement Sheets for FIGS. 1-15

### **REMARKS**

The present Amendment and Response is responsive to the Non-final Office Action mailed April 28, 2009. After entry of the present Amendment, Claims 1, 2, 12-15, 24, 25, 35-38, 56, 59-66, and 69-76 remain pending in this application. By this Amendment, independent Claims 1, 24, and 56, and dependent Claims 2, 12-15, 35, 59-66, 70-72, and 74-76 have been amended. Claims 17-23, 40-46, 48, and 49 were previously withdrawn from consideration by prior response. Claims 3-11, 16, 26-34, 39, 47, 50-55, 57, 58, 67, and 68 were previously cancelled without prejudice by prior response. It is respectfully submitted that no new matter has been added by the foregoing amendments. Additionally, in light of the above-listed amendments and the remarks below, it is respectfully asserted that the application is now in condition for allowance.

The Attorney for the Assignee would like to thank the Examiner for the telephonic Examiner's Interview that was conducted on July 27, 2009. During the Interview, an agreement was reached with respect to the clarity objections and the 35 U.S.C. § 112 rejections; however, should the Examiner identify any new clarity objections with respect to the amended claims, the Examiner is invited to call the undersigned attorney to discuss these new clarity objections. Additionally, distinctions between the cited art references and the claimed inventions were discussed. More specifically, none of the cited art references, either taken alone or in combination, teach or suggest the setting of a registration status based at least in part on a determined credit risk to one of a closed status or an open status. Accordingly, it is believed that the claimed inventions are in condition for allowance.

### **Objections to the Drawings**

In the Non-final Office Action, certain of the drawings submitted on February 11, 2009 were objected to as failing to satisfy the requirements of 37 C.F.R. § 1.121(d). More particularly, the drawings for FIGS. 1, 3, 5, 9, 11, and 13 were objected to because the words "REPLACEMENT SHEET" was printed in the body of the drawings and not within the margins of the drawings.

A complete set of Formal Drawings is submitted with the present Amendment. 18 new formal drawing sheets are provided for Figures 1-15. The new formal drawings for Figures 1-15 will replace prior versions of Figures 1-15. Additionally, it is respectfully submitted that the replacement sheets for Figures 1-15 satisfy the requirements of 37 C.F.R. § 1.121(d). More particularly, the "REPLACEMENT SHEET" labels for each of the drawings has been included within the margins of the respective drawing sheet.

### **Objections to the Claims**

The Non-final Office Action objected to Claims 56, 59, 60, and 62-65 due to informalities. In Claim 56, the recitation of "means for receiving, at processing agent processor ..." was objected to as providing insufficient antecedent basis. Claim 56 has been corrected as suggested by the Examiner to recite "means for receiving, at a processing agent processor ..."

In Claims 59, 60, and 62-65, the recitation of "... wherein executing computer-implemented instructions performed by one or more processing agent processors further comprises executing computer implemented instructions by one or more processors for:" was objected to as being redundant. Although the recitations are believed to be clear, Claims 59, 60, and 62-65 have been amended to remove the recitations that have been objected to. Accordingly, it is respectfully asserted that the objections are moot.

The Office Action further objected to Claims 2, 12-14, 25, and 35-37 under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Although it is believed that each of these claims clearly limits the subject matter of a previous claim, dependent Claims 2 and 12-14 have been amended to include positive recitations rather than "wherein" language.

Regarding dependent system Claims 25 and 35-37, it is respectfully asserted that each of the claims clearly provides further limitations to the subject matter of a previous claim. Accordingly, each of the claims is believed to be in proper form. Should the Examiner disagree, it is respectfully requested that the Examiner provide, for each claim, specific reasons setting forth a lack of further limitations.

**Claim Rejections Under 35 U.S.C. § 112**

Claims 1, 12, 15, 24, 38, 56-62, 64-72, and 74-76 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. More particularly, the Office Action argued that the recitations of “first set of payees,” “second set of payees,” and “processing agent processors” are not found in the Specification for the present application. While it is believed that these recitations are discussed in the Specification, as a result of the amendments to the claims listed above, the claims no longer reference the terms “first set of payees,” “second set of payees,” and “processing agent processors.” Therefore, the rejections under 35 U.S.C. § 112, first paragraph, are now moot.

Additionally, Claims 1, 24, 56, 60-61, 66, 70-71, 74, and 76 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More particularly, the Office Action contended that the recitation of “setting, at the processing agent a registration ..., wherein ..., and wherein ... a second set of payees, wherein the ...” is indefinite. The Office Action further contended that the recitations of “processing agent processor” and “the processing agent” are unclear. As a result of the amendments to the claims listed above and the remarks pertaining to those amendments contained herein, it is respectfully asserted that the claims are definite and that they satisfy the requirements of 35 U.S.C. § 112, second paragraph.

**Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1, 2, 12-15, 24-25, 35-38 and 56-76 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,289,322 to Kitchen, et al. (“*Kitchen*”) in view of U.S. Patent No. 7,194,437 to Britto et al. (“*Britto*”) in further view of U.S. Patent No. 6,311,170 to Embrey (“*Embrey*”).

Although the rejected claims are believed to be allowable over the cited art of record, independent Claims 1, 24, and 56 have been amended to clarify the claimed inventions of the independent claims. More specifically, independent Claim 1 has been amended to recite “setting, by the processing agent, a registration status for the network user to one of (i) a closed status indicating that the processing agent will only process payment requests on behalf of the

network user to preferred payees included in a defined plurality of preferred payees or (ii) an open status indicating that the processing agent will process payment requests on behalf of the network user to either the preferred payees or to other payees not included in the defined plurality of preferred payees" (Underlining supplied). Independent Claim 1 has further been amended to recite "transmitting ... when the registration status is set to the closed status, a closed payment screen that only allows payment to any of the defined plurality of preferred payees" and "transmitting ... when the registration status is set to the open status, an open payment screen that allows payment to any of the defined plurality of payees or to one of the other payees" (Underlining supplied). Independent Claims 24 and 56 have been amended in a similar manner. Support for these amendments may be found throughout the Specification, for example, at paragraphs [0022] and [0113] – [0116] of the Specification as published and in FIGS. 6, 13, 14 and 15.

It is respectfully asserted that neither *Kitchen*, *Embrey*, nor *Britto*, either taken alone or in any combination thereof, teaches or suggests each and every element of the amended independent claims. *Kitchen*, which is co-owned by the assignee of the present application, fails to teach or suggest at least the setting of a registration status for the network user to one of a closed status and an open status, as recognized on page 7 of the Office Action. Additionally, *Kitchen* fails to teach or suggest the transmission of a closed payment screen when the registration status is set to the closed registration status and the transmission of an open payment screen when the registration status is set to the open registration status. Although *Kitchen* discloses several payment screens (see *Kitchen* at FIGS. 12B and 12C), these payment screens are not transmitted based upon a determined registration status. Accordingly, it is respectfully asserted that the amended independent Claims are allowable over *Kitchen*.

Additionally, it is respectfully asserted that neither *Embrey* nor *Britto*, either taken alone or in combination with *Kitchen*, satisfies the deficiencies of *Kitchen*. The Office Action cites to Col. 8, line 6 – Col. 9, line 40 of *Embrey* to argue that *Embrey* discloses the setting of a registration status to one of an open status or a closed status based at least in part on the determined credit risk. However, the cited text of *Embrey* does not appear to relate to the setting of a registration status for the network user. In marked contrast, the cited text simply relates to

coordinating, between a payment service provider and a trusted intermediary (i.e., bank), payments that are made on behalf of payor entities to payee entities. The cited text further relates to the generation of payment verification information; however, nothing in the cited text teaches or suggests the setting of a registration status to one of an open status or a closed status based at least in part on the determined credit risk. Additionally, *Embrey* fails to teach or suggest the transmission of a closed payment screen when the registration status is set to the closed registration status and the transmission of an open payment screen when the registration status is set to the open registration status.

Moreover, *Britto* fails to teach or suggest the setting of a registration status for the network user to one of an open status or a closed status based at least in part on the determined credit risk, as recited by the amended independent claims. In fact, the Office Action mailed November 12, 2008 admits on pages 5-6 that *Britto* fails to teach or suggest this feature. *Britto* also fails to teach or suggest the transmission of a closed payment screen when the registration status is set to the closed registration status and the transmission of an open payment screen when the registration status is set to the open registration status.

For at least the reasons stated above, it is respectfully submitted that amended independent Claims 1, 24, and 56 are allowable over *Kitchen*, *Embrey*, and *Britto*, either taken alone or in any combination thereof. Therefore, it is respectfully asserted that the amended independent claims are in condition for allowance. Additionally it is respectfully asserted that dependent Claims 2, 12-15, 25, 35-38, 59-66, and 69-76 are allowable as a matter of law as being dependent on an allowable base claim, notwithstanding their independent recitations of patentable subject matter.

**Conclusion**

It is believed that each matter raised by the Office Action has been responded to. Allowance of the claims is respectfully solicited. It is not believed that extensions of time or additional fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by teleconference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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# APPENDIX